

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

THOMAS BROOKS,

Case No. 2:20-CV-565 JCM (EJY)

ORDER

V.

SANOFI, S.A., et al.,

Defendant(s).

Presently before the court is the matter of *Brooks v. Sanofi S.A. et al.*, case no. 2:20-cv-565-JCM-EJY. On April 1, 2020, Thomas Brooks (“plaintiff”) moved to remand this action to the Eighth Judicial District Court. (ECF No. 6). The next day, plaintiff filed the instant motion to expedite. (ECF No. 7).

Local Rule IA 6-1(d) provides as follows:

Motions to shorten time will be granted only upon an attorney or party's declaration describing the circumstances claimed to constitute good cause to justify shortening of time. The moving party must advise the courtroom administrator for the assigned judge that a motion for an order shortening time was filed.

LR IA 6-1.

Plaintiff avers—and his counsel affirms by way of declaration—that defendant GlaxoSmithKline LLC (“defendant”) removed this action for the sole purpose of hastily transferring this case to the Zantac multidistrict litigation. (ECF No. 7). Indeed, the Judicial Panel issued an order conditionally transferring this case to the Zantac multidistrict litigation on March 25, 2020. *Id.* at 3.

By plaintiff's estimation, defendant's litigation strategy is aimed at depriving plaintiff of his "substantive right to an expedited trial within 120 days pursuant to NRS 16.025." *Id.* Plaintiff argues that defendant's removal is baseless because it has not demonstrated that the amount in controversy exceeds \$75,000. *Id.*

The court finds good cause to justify expediting plaintiff's motion to remand. This case has already been conditionally transferred to the Zantac multidistrict litigation. If defendant's removal was, in fact, meritless, then plaintiff stands to be wrongfully deprived of his substantive right to an expedited trial under Nevada law.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiff's motion to expedite (ECF No. 7) be, and the same hereby is, GRANTED.

IT IS FURTHER ORDERED that defendant shall file its response to plaintiff's motion to remand on or before Wednesday, April 8.

IT IS FURTHER ORDERED that plaintiff shall file its reply, if any, to defendant's response on or before Friday, April 10.

DATED April 3, 2020.

James C. Mahan
UNITED STATES DISTRICT JUDGE